

## **BOARD MEETING MINUTES**

**November 20, 2009**

**TIME:** 9:00 a.m.

**PLACE:** 1721 East Broadway, Tempe Arizona, 85282

### **ALL AGENDA ITEMS INCLUDE THE OPPORTUNITY FOR BOARD CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION**

Board Meetings may go into "Executive Session" for the purpose of obtaining legal advice from the Board's attorney on any of the agenda items pursuant A.R.S. § 38.431.03 (A) (3).

The Board makes every attempt to hear all matters timely. However, due to the number of items scheduled on any particular agenda, the Board may find it necessary to hear some items out of order and/or later than the time originally scheduled.

### **PLEDGE OF ALLEGIANCE**

### **CALL TO ORDER AND ROLL CALL**

Stephen Colarusso  
Flo Finch  
Thom Kasch  
Gary Begley  
Karla Clodfelter  
Kyra Locnikar  
Sandra Hecksel, new Board Member

### **BOARD \* AND \*\*\***

**A. Board Minutes of October 16, 2009.**

MOTION by Thom Kasch to approve minutes as written. MOTION SECONDED by Gary Begley. MOTION CARRIED.

**B. Declaration of Conflict of Interest.**

Karla Clodfelter declared for 78837 under Step 2.B. no. 26.

**C. Report, Consideration and Possible Action on Laser Schools**

- **A.R.S. § 32-516, Aestheticians; Cosmetic Laser and IPL Device use; Certification; Fees; Definitions**
- **A.R.S. § 32-3231 - § 32-3234, Cosmetic Laser and Injection Procedures**

**D. Report, Consideration and Possible Action on Protected vs. Non-Protected Terms**

- **Medical Aesthetics**

MOTION by Flora Finch to go into executive session for the purposes of receiving legal advice on C. and D. above and on National Laser Institute case no. 78392 under Step 1.D. no 36. MOTION SECONDED by Thom Kasch. MOTION CARRIED.

Meeting reconvened.

MOTION by Stephen Colarusso to continue investigating laser procedures for further information. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

**E. Discussion, Consideration and Possible Action on Brainstorming of Ideas for Future Changes to Board Statutes “Formation of Legislation Committee”**

Chairman of the Board, Stephen Colarusso, suggested to add protection of terms to be considered as a future statute change.

**F. Cosmetology Students on Field Trip.**

- **Questions and answers regarding Board authority and process**

**EXECUTIVE DIRECTOR’S REPORT \*, \*\*, \*\*\* AND \*\*\*\***

**A. Discussion on December Meeting & Holiday Luncheon**

- **Recognition of former Executive Director & Board Members**

Former members of the Board from the past ten years will be contacted and invited to the December 11, 2009 Board meeting for recognition of their service.

**B. Report and Discussion on (AACCS) American Association of Cosmetology Schools Annual Convention & Expo held in Phoenix, Arizona, November 14<sup>th</sup> – 17<sup>th</sup>, 2009**

The Executive Director, Donna Aune, reported that she attended the convention with Deputy Director, Nanci Kerns and they attended informative classes on financial aid and distance learning and Ms. Aune also was also in attendance at the state relations dinner event.

**C. Report and Discussion on 90/10 Executive Director Meeting held November 10, 2009**

The Executive Director, Donna Aune, reported that she attended the Executive Director Meeting with Deputy Director, Nanci Kerns. The main topic of the meeting was budgeting and related problems.

**D. Summary of Current Events.**

**STEP 1: COMPLAINT REVIEW \* AND \*\*\***

**A. Recommend Application Denials**

79036 Bao Chau Nguyen *(Deny & accept with negotiation)*

79059 Moraima G. Sierra *(Deny & accept with negotiation)*

79108 Natasha Glover *(Deny & accept with negotiation)*

MOTION by Flora Finch to accept staff recommendations and deny the above applications and accept with negotiation. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

79148 Ngoc M Ha *(Deny & accept with negotiation)*

MOTION by Flora Finch to accept staff recommendations and continue. MOTION SECONDED by Gary Begley. MOTION CARRIED.

**B. Recommend Dismissals**

MOTION by Karla Clodfelter to accept staff recommendations and dismiss those listed below. MOTION SECONDED by Flora Finch. MOTION CARRIED.

78182 Hayley Ruttinger, #30600278 *(Found licensee operating in a licensed establishment)*

78293 Elite Nails, #M14384 *(Found no violations of Cosmetology Statutes)*

Tim Nguyen #50023376, Owner

78308 Pseudo Unlicensed *(Found no evidence of nail technology being performed at apt complex)*

78337 VXO Nails #M16219 *(Found no violations of Cosmetology Statutes)*

Peter Nguyen, Owner

78411 Darin's Luxury Nails & Spa #M15100

My Linh T Luong #'s 50100026 & 30600911, Co-Owner/Manager

78478 Narmin's Alteration & More *(Refer to proper authorities & threading letter)*

78537 Universal Beauty Salon #C19175 *(No response from complainant)*

Jose L Mata, Co Owner

Sabino Rivera, Co Owner

78566 A Perfect Sole #M16181 *(Found no violations of Cosmetology Statutes)*

Toni Kehoe #58700080, Owner/Manager

78568	Chandler Fashion Center-Kiosk	<i>(Refer to proper authorities &amp; threading letter)</i>
78570	Chica Latina, <i>Pseudo Unlicensed</i>	<i>(Refer to Barber Board)</i>
78627	Dillard's @ Scottsdale Fashion Square	<i>(Refer to proper authorities &amp; threading letter)</i>
78632	Beauty Revolutions Salon C19174	<i>(Found no violations of Cosmetology Statutes)</i>
	Elsa E Jenkins #10600516, Co-owner	
	John C Jenkins, Co-owner	
78706	Juicy Boutique, <i>Pseudo Unlicensed</i>	<i>(Found salon licensed – C19295)</i>
78751/78752	Yuma's #1 Nail Expert #'s M16176 & A16361	<i>(Found salon in compliance)</i>
	Truc Thanh Tran #50200685 Owner/Manager	
78754/78755	Yuma's #1 Nails M16266 & A16489	<i>(Found salon in compliance)</i>
	Anh H Le #'s 59700609 & 30500056, Owner/Manager	
78773	Karen Lovell #10602173	<i>(Found no violations of Cosmetology Statutes)</i>
78777	Regal Nails Salon & Spa #277 #M16022	<i>(Found salon in compliance)</i>
	Tina Banh #59500263, Owner/Manager	
78778	Tucson Spectrum Mall	<i>(Found no evidence of threading being performed)</i>
78784	Studio Fix Salon #C18000	<i>(Refer to Barber Board)</i>
	Francisca Hernandez #19800542, Co-Owner/Manager	
	Guadalupe Zepeda #10500613, Co-Owner/Manager	
78785 &	Durango Barber & Styling C18106	<i>(Found salon in compliance)</i>
	Domitila Villarreal, Owner	
78786	Briseyda Hernandez #10700265	
78789	Park Place Mall-Threading Kiosk	<i>(Refer to proper authorities &amp; threading letter)</i>
78791/78850	Pretty Nails Spa LLC By BN #'s M16049/A16474	<i>(Evidence does not support allegations)</i>
	Tony Le #50500634, Member/Manager	
78794	First Blue Cactus Nails Spa & Wax	<i>(Found no violations of Cosmetology Statutes)</i>
	Chau Bich P Ha #'s 59915049 & 30200025, Owner/Manager	
78748	V-K Elle Nails #M15557	<i>(See 78747 – not at licensed at said location – two locations)</i>
	V-K Elle Nails Inc, Owner	
	Duy Q. Tong #50100431, President/Manager	
	Thanh-Thuy Tran #50023502 & 30601165 Member/Manager	
78969	Theresa's Beauty Salon #C1976	<i>(Client's satisfaction – color corrected)</i>
	Sandra Guzman Oz #16305280, Owner/Manager	
79023	Bentley Place Hair Design, Salon # C18237	<i>(Found operator to be licensed)</i>
	Lora Bruno #50900577, Owner/Manager	

### C. Recommend Letter of Concern

MOTION by Karla Clodfelter to accept staff recommendations and issue Letters of Concern to those listed below. MOTION SECONDED by Gary Begley. MOTION CARRIED.

78576/78577	Pink Polish Mani-Pedi Spa #'s A15739 & M15673	<i>(Delinquent personal license)</i>
	Tammy Do #'s 30300002 & 50200765, Owner/Manager	
78979	Orange Skye #A16078	<i>(No exterior sign)</i>
	Tracey's Place LLC., Owner	
78993 &	Nail Spa Expose #A16116 & #M15993	<i>(Delinquent establishment license, establishment license &amp; personal license display)</i>
78994	Nailspa Expose S & D Inc	

- Stephanie Nguyen, President  
Dang Nguyen, Vice President
- 78995 & #1 O.B.I #A15856 & #M15772 (*Aesthetic & nail establishment licenses delinquent*)  
78996 Phuong T. Huynh #30330567-#59600923, Owner/Manager  
79063 Fifth Gear Salon #C15098 (*Delinquent establishment license*)  
Fifth Gear Salon LLC  
Adriana Padilla #10123035, Member/Manager
- 79068 Artistic Creations #C12286 (*Delinquent personal license*)  
Tamara Girkin #10123221, Owner/Manager
- 79070 Yoli's Sala De Belleza #C233 (*No TB HIV-1 HEP B*)  
Yolanda Arredondo #19200341, Owner
- 79073 No Limit's Salon #C15122 (*Delinquent establishment & personal license*)  
Delory Hand #19401041, Owner/Manager
- 79074 & Nails Studio By T & T #A15470 & #M15455 (*Delinquent personal license; personal*  
79075 Nails Studio By T & T LLC & establishment license display; one license had soiled tools  
Thao Thuy Nguyen #30400717 & #59713987, Member/Manager & dry storage)
- 79077 3 Nails Beautiful #M16278 (*Advertising differently*)  
Thom Thi Nguyen #50331128, Owner/Manager
- 79084 Bien Nails #M12405 (*Delinquent establishment license*)  
Hung Huynh #59500848, Owner
- 79093 Cactus Beauty #C18492 (*Unlicensed individual – Barber & delinquent personal license*)  
L.A.S Finest at the Beauty Max LLC
- 79094 Innerlooks Salon #C8089 (*Delinquent personal license*)  
Christy Basile #17314157, Owner/Manager
- 79095 Phong N Super Nails #M14813 (*Delinquent establishment license*)  
Phong Nguyen #50200272, Owner/Manager
- 79097 Apollo Hair Center #C16039 (*Delinquent establishment license*)  
USR Alternative Solutions
- 79122 Total Bliss #C13037 (*Delinquent personal license*)  
Erica Rowe #19600646, Owner/Manager
- 79123 Beauty Express #7035 #C19059 (*Client gowns not enclosed & restroom storage*)  
Trade Secret Exclusive Stores Inc
- 79124 Regis Salon #C10195 (*Delinquent personal license*)  
Minnesota Regis Corp  
Paul Finkelstein, President
- 79125 Master Cuts #402 #C10196 (*Personal license display and no large wet disinfectant set*  
Minnesota Regis Corp up tall barbicide jar at station)  
Paul Finkelstein, President
- 79126 Susan's Cutting Edge #C14965 (*One licensee had soiled tools, dry storage, soiled wet at station*  
Susan Glennon #18700608, Owner/Manager and two licensees advertising differently)
- 79127 Professional Cuts #C17911 (*No TB HIV-1 HEP B*)  
Leann Sykes #10200645, Owner/Manager
- 79128 Harespray #C18448 (*Delinquent establishment license*)  
Harespray LLC
- 79136 Nanda's Styles #C16647 (*Delinquent personal license*)  
Maria Fernanda Munoz #19918280, Owner/Manager
- 79137 Family's Beauty Salon & Supply #C17067 (*Delinquent establishment & personal license*)  
Ricky Dinh, Owner

- 79138 Julie’s Nail & Spa #M14333 (Delinquent personal license)  
Jimmy Ha #59900056, Owner/Manager
- 79139 Perfect Look #136 #C15716 (Delinquent personal license)  
Beauty Management Inc

**D. Recommend Informal Interview or Negotiation Terms**

MOTION by Thom Kasch to accept staff recommendations for all negotiation terms as listed below except for #21 and #29. MOTION SECONDED by Gary Begley. MOTION CARRIED.

1. 76818 Esthetically Pleasin’ #A161189  
Sherry D Weddle #39920461, Owner/Manager  
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.
2. 78116 Bobbie Sussman #10801475  
Dismiss, see motion above.
3. 78280 Xlent Nail & Spa, M16172  
Van Ly #10401441, Owner/Manager  
Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.
4. 78494 Stardust Nails #M12529  
Sau Phan #50200060, Owner/Manager  
“Sandy” Cam T Truong #502000059, Licensee  
Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.
5. 78509 Prestige Nail & Spa by JJ #M15991  
Prestige Nail & Spa by JJ, LLC, Owner  
Kevin Nguyen #50600675, Manager  
Cam N Chau #50600683, Licensee  
Offer a consent agreement to the salon to pay \$38.00 restitution, see motion above.
6. 78563 Divine Hair Salon C17910  
Tamara Co & Inc., Owner  
Tamara Slemo #19600794, President  
Dianna Hutcheson #58700191, Licensee  
Offer a consent agreement to salon to assess \$250 civil penalty and costs, and to pay \$33.00 restitution; and issue a Letter of Concern to Dianna Hutcheson #58700191, see motion above.
7. 78564 Tammy Nails Salon Pro Nails #M16347  
Mao Dam, Owner  
Offer a consent agreement to assess \$1,000 civil penalty and costs, see motion above.
8. 78581 Salon Sandoval C15729  
Christopher Kevin Sandoval #18327427, Owner  
Zachary Glielmi #10600979, Licensee  
Dismiss, see motion above.

9. 78689 Prestige Nails & Spa #2512 M16019  
Tho Nguyen #59917579, Owner/Manager/Licensee  
To informal interview, see motion above.

10. 78697/79164 Nails Rap #'s A14713 & M14779  
Nails Rap Shannon LLC, Owner  
Duc Xuan Vu #50200626 Owner/Manager  
Thanh Van Le 30330661, Licensee  
Offer a consent agreement to assess \$750 civil penalty and costs, see motion above.

11. 78698 Bien Nails by Ann M16128  
Nghia V Phan #50501508, Owner/Manager  
Van Anh Thi Luong #50500507, Licensee  
Offer a consent agreement to salon to assess \$500 civil penalty and costs, and to pay \$63.00 restitution, and for Nghia V Phan #50501508 and Van Anh Thi Luong #50500507 to attend the infection protection class and the law review class given by the Board, see motion above.

12. 78700 Marcus Beauty Spa #A15904  
Andy Nguyen #599920427 Owner/Manager/Licensee  
Issue a Letter of Concern and add to the violations A.A.C. R4-10-112(J)(4), see motion above.

13. 78701 D'Gala Nancy's Hair Studio C19124  
Nancy Hernandez #19600661 Owner/Manager  
Luz A Burruel #10401667, Licensee  
Maria Gemma Vazquez #10400536, Licensee  
Fernando Hernandez Millan, License No. 10000021 (Revoked as of 1.23.03)  
Offer a consent agreement to assess \$2,000 civil penalty and costs, see motion above.

14. 78710 Jessica Lopez #10600780  
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

15. 78779 Arte Y Creacion Beauty Salon #C14797  
Ramon Chavarria, Owner  
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

16. 78783/79056 2007 Nails #A16304 & M16118  
Minh Xuan Van Thi Pham #50500792 Owner  
Issue a Letter of Concern, see motion above.

17. 78787 Toni & Guy Hairdressing Academy S79  
RAS Management Inc., Owner  
Michael Smith, President  
Sherry Rogers, Director  
Offer a consent agreement to assess \$1,000 civil penalty and costs, and add A.R.S. 32-553(B) to the violations, see motion above.

18. 78824 Rosie's Nails #M14176  
Quoc Huong Thi Le #50401213 Owner/Manager

Tuan Quoc Le, Licensee, License No. 50331163

Offer a consent agreement to assess \$500 civil penalty and costs, to pay \$40.00 restitution and for Quoc Huong Thi Le #50401213 and Tuan Quoc Le # 50331163 to attend the infection protection class given by the Board see motion above.

19. 78834 European Nails & Spa A15787  
 Tammy Dan Tran, Owner/Manager 30500512 & 50100125  
 To informal interview, and refer to the proper authorities, see motion above.

20. 78843 Jennifer Duncan 10402105  
 Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

21. 78972 Me Hair, Skin, & Body Rejuvenation #C18326  
 Patty Price Enterprises  
 Patricia Price #10225328, President/Manager

MOTION by Stephen Colarusso to offer a consent agreement to assess \$250 civil penalty and costs, and to send a pre-revocation notice to above case; and also to send a pre-revocation notice to no. 29, 78998, no. 22, 78973 and no. 41, 79072 for compliance with past fines due and continue cases.. MOTION SECONDED by Thom Kasch. MOTION CARRIED.

22. 78973 Hair 2000 Beauty Salon #C9287  
 Karen Graham #18225236, Owner/Manager

Offer a consent agreement to assess \$500 civil penalty and costs, and add to violations A.R.S. 32-572(A)(9), see motion above and motion under 21. above.

23. 78974 Peak of Perfection Salon & Day Spa #C18264  
 Peak of Perfection Salon & Day Spa LLC  
 Concepcion Zamarron, Member

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

24. 78975 Nail Boutique #M16035  
 Mai Chu #50800348, Owner/Manager

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

25. 78976 Kayla Nails and Spa #M16349  
 Thanh Thien Dong #30400536, Co-Owner/Manager  
 Doan Vu Nguyen #50601337, Co-Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

26. 78977 Linda Torres #17415235, Licensee

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

27. 78978 Stars Beauty & Boutique #C18599  
 Alba Felix Durazo #10600093, Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

28. 78992 Arizona Hair Co #C3759  
 San-Mar Ent. Inc

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

29. 78998 Big Two Salon #C16846  
CEH Automotive Corp

MOTION by Thom Kasch to offer a consent agreement to assess \$250 civil penalty and costs, to comply with restroom requirements. MOTION SECONDED by Stephen Colarusso. MOTION CARRIED. See motion above and motion under 21. above.

30. 79000 Toni & Guy #C17580  
San Tan Associates  
Gerry Watkins #18225407, President  
Lethan Olvera #19919234, Partner

Offer a consent agreement to assess \$1,000 civil penalty and costs, and for Lethan Olvera #19919234 to attend the infection protection class and the law review class given by the Board see motion above.

31. 79001 My Nails Spa of Gilbert #M15785  
Thong T. Pho #50501529, Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

32. 79005 Shalina Madrigal #19601362, Licensee

Offer a consent agreement to assess \$1,000 civil penalty and costs, see motion above.

33. 79006 & Bliss Nails Spa of Chandler #A15689 & #M15628  
79009 Tina Nguyen #50200101, Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

34. 79010 Jevons Chung Yu #50400835, Licensee

Offer a consent agreement to assess \$750 civil penalty and costs, see motion above.

35. 79021 Bidegains Beauty Bizzare #C19350  
Monica C. Bidegain #18501390, Owner/Manager

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

36. 78392 National Laser Institute, *Pseudo Unlicensed*  
Lewis Silberman, Owner

Continued.

37. 79064 & Sylvia White #17515703, Licensee  
79065 & Patricia Larson #17921811, Licensee  
79066 Tracye Alcaraz #17920867, Licensee

Offer a consent agreement to assess \$50 civil penalty and costs to each licensee, see motion above.

38. 79067 Patricia Estes #16910443, Licensee

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

39. 79069 French Nails #M15842  
Nhan Van, Owner

Offer a consent agreement to assess \$2,000 civil penalty and costs, OR voluntary revocation, see motion above.

40. 79071 Nail Show #M9522  
Oanh Nguyen #59700408, Co-Owner/Manager  
Thuan Bui #59900320, Co-Owner

Offer a consent agreement to assess \$1,000 civil penalty and costs, see motion above.

41. 79072 Pro Ten Nails #M15072  
Quang Tran #50000568, Owner/Manager

See motion above and motion under 21. above.

42. 79076 Hair Society #C10886  
Dwayne Sanders #19917781, Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

43. 79078 & Splendid Nails #A15344 & #M15350  
79079 Christopher Tran, Owner

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

44. 79080 & Scott Walker #10021819, Licensee  
79081 Daryl Paden #10200062, Licensee

Offer a consent agreement to assess \$250 civil penalty and costs to each licensee, see motion above.

45. 79082 Cleo Beauty Salon #C19092  
Jom Global LLC  
Bong Ju Kim #10702057, Member/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

46. 79083 Katelyn Nails & Spas #M16169  
Nhi Diep, Owner

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

47. 79085 & AJ Fine Nails & Spa #A16082 & #M15967  
79099 Long Thanh Nguyen #50501303, Owner

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

48. 79087 & Guadalupe Alvarez #19401434, Licensee  
79088 & Alondra Garcia #10501356, Licensee  
79089 Ana Maria Alcala-Lopez #19601014, Licensee

Offer a consent agreement to salon license C19516 and assess \$500 civil penalty and costs, see motion above.

49. 79092 QT Nails Salon & Spa #M15928  
QT Nails Salon & Spa LLC  
Quan Phung #50700989, Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

50. 79096 Kum Hee Kwen #10700308, Licensee  
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

51. 79098 All About U Hair & Nail Salon #C18162  
Patricia Ruelas #50226837, Owner  
Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

**STEP 2: INFORMAL INTERVIEWS \* AND \*\*\***

**A. Without Negotiation Options**

1. 78688 Vista Spa #C18224 **10:15 a.m.**  
Thu Thi Pham #50500869 & #30600282, Co-Owner/Manager  
Tai Le #50800181, Co-Owner  
Continued from October’s Board Meeting

Thu Thi Pham appeared and spoke to the issue.

MOTION by Karla Clodfelter to offer a consent agreement in lieu of a formal hearing to assess \$1500 civil penalty and costs, for both owners to attend the infection protection class and the law review class given by the Board within the first sixty days of the probation, that the salon shall be inspected within the next few months as terms of a one year probation and that this history shall follow the new aesthetic and nail salon licenses. MOTION SECONDED by Thom Kasch. MOTION CARRIED.

**B. With Negotiation Options**

1. 78400 Shannin Rodriquez (Nissley) #59817988 *(Expired 10.6.06)* **10:30 a.m.**  
Continued from October’s Board Meeting

Shannin Rodriquez (Nissley) appeared and spoke to the issue.

MOTION by Stephen Colarusso to become current on inactive license by 01/01/10 then a \$500 civil penalty and costs as terms of a one year probation beginning after the license is made current. MOTION SECONDED by Flora Finch. Karla Clodfelter, Gary Begley, voted NAY, Sandra Hecksel abstained.

MOTION by Stephen Colarusso to rescind the previous motion. MOTION SECONDED by Thom Kasch. MOTION CARRIED.

MOTION by Karla Clodfelter to have the license become current by the end of this year and issue a Letter of Concern. MOTION SECONDED by Thom Kasch. MOTION CARRIED.

2. 78486 Salon Sierra #C18418 **10:30 a.m.**  
Lydia C Fisher-Creek #10800612, Owner/Manager  
Continued from October’s Board Meeting

Lydia C Fisher-Creek appeared and spoke to the issue.

MOTION by Stephen Colarusso to offer a consent agreement in lieu of a formal hearing to assess \$1500 civil penalty and costs, to attend the infection protection class and the law review class given by the Board within ninety days. MOTION SECONDED by Flora Finch. MOTION CARRIED.

3. 78970 Mike Lee Nails #A15627 **10:30 a.m.**

- Chu T Huy #50200527, Owner/Manager  
**NEGOTIATED \$500**
4. 78314 & 78971 Mary Jonguitud File No. 9050215 **10:30 a.m.**  
Mary Jonguitud #10901228  
**NEGOTIATED \$500/1<sup>st</sup> Payment in the amount of \$100 submitted**
5. 78487 & 79020 Classy Nails by Le #M11113 **10:30 a.m.**  
Quan Thai Le #59818007, Owner/Manager  
**CONTINUED**
6. 78501 Ricqlen's Hair Co #C17426 **10:30 a.m.**  
Richard Cowles #16708000, Owner  
**NEGOTIATED \$250/PAID**
7. 78579 & 79047 Donna's Nails & Spa M16041 **10:30 a.m.**  
Minh Huynh #50501186, Owner/Manager  
**NEGOTIATED \$250/PAID & \$30 RESTITUTION/PAID**  
Chau Ngoc Tran #50331290, Licensee  
**NEGOTIATED TO ATTEND BOARD CLASSES - November 23, 2009**
8. 78582 LA Nails #M9720 **10:30 a.m.**  
Susan B Au #59500448, Owner/Manager  
**NEGOTIATED \$500/PAID**
9. 78624 V-K Elle Nails #M15557 **10:30 a.m.**  
V-K Elle Nails Inc  
Duy Q Tong #50100431, President/Manager  
Thanh-Thuy Tran #50023502 & 30601165 Member/Manager  
**NEGOTIATED \$500/PAID**
- 10 78747 V-K Elle Nails #A14943 **10:30 a.m.**  
V-K Elle Nails Inc  
Duy Q. Tong #50100431, President/Manager  
Thanh-Thuy Tran #50023502 & 30601165 Member/Manager  
**NEGOTIATED \$250**
11. 78749 Le Vanittee Barber and Beauty Salon #C18059 **10:30 a.m.**  
Maria Hernandez, Owner  
**NEGOTIATED \$250**
12. 78750/78753 Jewelry Nails & Spa #A13558 & #M13557 **10:30 a.m.**  
Liem T. Ha #50000557, Owner/Manager  
**NEGOTIATED \$250/PAID**
13. 78759 Nails by Anna Marie #M11414 **10:30 a.m.**  
Anna Marie Femiano Hernandez #58400179, Owner/Manager

**NEGOTIATED \$250/PAID**

14. 78760 Brenda at Salon Denmark #C11409 **10:30 a.m.**  
 Brenda Beychok #17010940, Owner/Manager  
**NEGOTIATED \$500/6-Months Probation/1<sup>st</sup> Payment Submitted**
15. 79043 Shear Performance –Park Place Mall #C11459 **10:30 a.m.**  
 Steve Morales, Owner  
 Haesuk Kim #10501815, Manager  
**NEGOTIATED \$250**
16. 78769 A & K Nails #M15716 **10:30 a.m.**  
 Nhu Mai Thi Tran #50329004, Co-Owner/Manager  
 Mai Trinh Tran #50331551, Co-Owner/Manager  
**NEGOTIATED \$250/PAID**
17. 78804 Great Clips #1597 #C14251 **10:30 a.m.**  
 Kula Inc., Owner  
 Mike DiCarlo, President  
 Cheryl DiCarlo, V-P/Secretary  
**NO SHOW; to formal hearing.**
18. 78805/78806 Ong Paulene's Nails #A14902 & #M14411 **10:30 a.m.**  
 Ong Hoang Duc #59500153, Owner/Manager  
**NEGOTIATED \$250/PAID**
19. 78807 Central Nails #M7062  
 Hong Bui #50123244, Owner/Manager  
**NEGOTIATED \$250/PAID**
20. 78816/78817 Ultra Nails & Spa #2 #A16063 & #M15949 **10:30 a.m.**  
 Quan X. Ngo, Owner  
**NEGOTIATED \$250**
21. 78818/78819 My Nails & Spa #A16467 & #M15982 **10:30 a.m.**  
 Tam Thanh Pham #50400001, Owner/Manager  
**NEGOTIATED \$250/6-MONTHS PROBATION/1<sup>st</sup> Payment Submitted**
22. 78820/78821 Nails & Spa Talk #A16631 & #M16383 **10:30 a.m.**  
 Danny Nguyen #50700127, Owner/Manager  
**NEGOTIATED \$500/PAID**
23. 78822 Supercuts 90154 #C15351 **10:30 a.m.**  
 Supercuts Corporate Shops Inc  
 Mark Kartarik, President  
**NO SHOW; to formal hearing.**

24. 78835 Marilyn's Hair Design #C15051 **10:30 a.m.**  
Marilyn Epps #10100319, Owner/Manager  
**NEGOTIATED \$250/PAID**
25. 78836 Avra Valley Hair Salon #C19372 **10:30 a.m.**  
Lucia Cruz #10802007, Owner/Manager  
**NEGOTIATED \$500**
26. 78837 Kurt, Quanna, & Co #C19021 **10:30 a.m.**  
Keila Enterprises LLC  
William Womack, Member  
Keila Womack #10123326, Member/Manager  
**CONTINUED**
27. 78838 #1 Nails by Thi #M11621 **10:30 a.m.**  
Diem Thi Nguyen #59900174 & 30300089, Owner/Manager  
**NEGOTIATED \$250**
28. 78839 Kolb Nails #M10461 **10:30 a.m.**  
Long Huynh #59716824, Co-Owner/Manager  
Khiem Nguyen #59716825, Co-Owner/Manager  
**NEGOTIATED \$500/PAID**
29. 78841 EZ Nails #C13863 **10:30 a.m.**  
B.D.V. LLC  
Binh Dinh, President  
Van Nguyen #19100778, Vice President/Manager  
**NEGOTIATED \$500/6-Months Probation/1<sup>st</sup> Payment Submitted**
30. 78842 Belladonna Hair Studio #C16822 **10:30 a.m.**  
Thomas Proietti, Owner  
Maria A Quiroz #18022822  
**NEGOTIATED \$250/PAID**
31. 78846 White Lotus Salon & Spa #C17468 **10:30 a.m.**  
White Lotus Advanced Skin Care LLC  
Jodi Snyder #30125265, Member/Manager  
Rachel Ventura #30125416, Member/Manager  
**NEGOTIATED \$250**
32. 78847 XS Salon & Spa #C17039 **10:30 a.m.**  
Salon XSLTD Inc  
Sayoko Grove #18327931, President/Manager  
**NEGOTIATED \$250**
33. 78848 Kelly's Salon & Spa #C18119 **10:30 a.m.**  
Kelly's Salon & Spa LLC  
Tay Van Ngo #10701267, Member

Kelly Mai #10700025, Member/Manager  
**NEGOTIATED \$250/PAID**

34. 78859 & Fantastic Sams #C12763 **10:30 a.m.**  
 Team Spilo LLC  
 Edward & Christina Spilo, Members  
**NEGOTIATED \$500/PAID**  
 79045 Tiffany A Ellis #19300731, Licensee  
**NO SHOW; to formal hearing.**
35. 78874/78875 Bebe Nails #A15456 & #M15440 **10:30 a.m.**  
 Chau Ly, Owner  
**NO SHOW; to formal hearing.**
36. 78877 Smart Style #1183 #C15974 **10:30 a.m.**  
 Minnesota Regis Corp  
 Paul Finkelstein, President  
**NEGOTIATED \$250/PAID**
37. 78884 A Beautiwerx by Cin Cin #C15569 **10:30 a.m.**  
 A Beautiwerx by Cin Cin LLC  
 Cynthia Phillips #10402071, Member/Manager  
**NEGOTIATED \$250**
38. 78915 Party Nails #M15341 **10:30 a.m.**  
 Huong Thi Tran #59800167, Owner/Manager  
**NEGOTIATED \$500**
39. 78920 Santa Fe Hair Co #C16458 **10:30 a.m.**  
 Jody Sharp #10123271, Owner/Manager  
**NEGOTIATED \$250**
40. 78921 Brenda Hair Touch Studio #C18067 **10:30 a.m.**  
 Brenda Hernandez #19400542, Owner/Manager  
**NEGOTIATED \$250**
41. 78922 Nails Of World And Spa #M15668 **10:30 a.m.**  
 Le Minh Phung #50700502, Owner/Manager  
**NEGOTIATED \$250**
42. 78923 Vertigo 5 #C17057 **10:30 a.m.**  
 Carmen Smith #10200382, Owner/Manager  
**NEGOTIATED \$250**
43. 78925 Mok Yi Kim #10500516, Licensee **10:30 a.m.**  
**NEGOTIATED \$500**
44. 78952 Royce Cousins #10200559, Licensee **10:30 a.m.**

Royce Cousins appeared and spoke to the issue.

MOTION by Flora Finch to issue a Letter of Concern. MOTION SECONDED by Thom Kasch. MOTION CARRIED.

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|-----|-------|---|-------------------|
| 45. | 78953 | Thu Do Hair Design #C16354<br>Sabanh Daum #10200413, Owner/Manager<br><b>NEGOTIATED \$500</b>   | <b>10:30 a.m.</b> |
| 46. | 78954 | Chatti Chix Hair Salon #C17221<br>Cindi Franco #19001210, Co-Owner/Manager<br>Tara Lauderlack #19101135, Co-Owner/Manager<br><b>NEGOTIATED \$250/PAID</b> | <b>10:30 a.m.</b> |
| 47. | 78955 | Elisa Cannon #10602436, Licensee<br><b>NEGOTIATED</b>   | <b>10:30 a.m.</b> |
| 48. | 78956 | Tamara Bluestein #19300212, Licensee<br><b>NEGOTIATED \$500</b>   | <b>10:30 a.m.</b> |
| 49. | 78957 | Shalimar Stark #10600603, Licensee<br><b>NO SHOW; to formal hearing.</b>  | <b>10:30 a.m.</b> |
| 50. | 78958 | EMIII Design #C19408<br>Joseph Feneck #19813393, Owner/Manager  | <b>10:30 a.m.</b> |

Joseph Feneck appeared and spoke to the issue.

MOTION by Karla Clodfelter to offer a consent agreement in lieu of a formal hearing to assess \$225 civil penalty and costs, to attend the infection protection class and the law review class given by the Board within sixty days as terms of one year probation. MOTION SECONDED by Gary Begley. MOTION DIED.

MOTION by Thom Kasch to rescind the previous motion and issue a Letter of Concern. MOTION SECONDED by Flora Finch. MOTION CARRIED.

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|-----|-------|--|-------------------|
| 51. | 78960 | Kathleen McLaughlin #10500450, Licensee<br><b>NEGOTIATED \$500</b> | <b>10:30 a.m.</b> |
| 52. | 78961 | Casey Hill #10600282, Licensee<br><b>NEGOTIATED \$500</b>          | <b>10:30 a.m.</b> |

### **STEP 3: HEARINGS \* AND \*\*\***

#### **A. Denial Appeals**

None

#### **B. Motion to Deem Allegations Admitted**

74717 Ruth Cobb #30400636 10:00 a.m.

Assistant Attorney General, Bridget Harrington, appeared representing the State. Solicitor General, Christopher Munns, was available by telephone. Licensee did not appear.

MOTION by Flora Finch to grant the State’s MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Gary Begley . MOTION CARRIED.

MOTION by Flora Finch to adopt as Findings of Fact paragraph III in the Complaint and as Conclusions of Law paragraph IV in the Complaint. MOTION SECONDED by Gary Begley. MOTION CARRIED.

MOTION by Flora Finch to issue an Order of discipline to revoke the license, to pay \$250 civil penalties and costs for the violation, and that the agency recovers its total costs incurred for this case in an amount to be determined later by the agency. MOTION SECONDED by Gary Begley. MOTION CARRIED.

74721 Jamie Watkins #58500022 10:00 a.m.

Assistant Attorney General, Bridget Harrington, appeared representing the State. Solicitor General, Christopher Munns, was available by telephone. Licensee did not appear.

MOTION by Karla Clodfelter to grant the State’s MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Gary Begley . MOTION CARRIED.

MOTION by Karla Clodfelter to adopt as Findings of Fact paragraph III in the Complaint and as Conclusions of Law paragraph IV in the Complaint. MOTION SECONDED by Gary Begley. MOTION CARRIED.

MOTION by Karla Clodfelter to issue an Order of discipline to revoke the license, to pay \$250 civil penalties and costs for the violation, and that the agency recovers its total costs incurred for this case in an amount to be determined later by the agency. MOTION SECONDED by Gary Begley. MOTION CARRIED.

75998 Julia Oldham #18327770 10:00 a.m.  
Case has settled.

**C. Hearing Officer Recommendations**

None

**D. Request for Reinstatement**

None

**E. Appeal Board Orders**

None

**F. Discussion, Consideration and Possible Action on Proposed Consent Agreement Terms.**

None

**STATUS AND ADDITIONS TO TENTATIVE AGENDA \* AND \*\*\***

78585 Ososexy Nails Spa #M16122  
Anh Ngoc Bu #50401405, Co-Owner  
Sabanh Daum #10200413, Co-Owner/Manager

MOTION by Thom Kasch to offer a consent agreement to assess \$1500 civil penalty and costs, for both licensees to attend the infection protection class and the law review class given by the Board as terms of an eighteen month probation. MOTION SECONDED by Karla Clodfelter. Flora Finch VOTED NAY. MOTION CARRIED.

75068 & Kelly Chan Lee #10500332  
75069 Tuan Quoc Vo #50501111

MOTION by Thom Kasch to accept staff recommendations and dismiss without prejudice and offer a consent agreement to Mai Le only for \$250. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

For Board Information Only:

**ADJOURN**

MOTION by Thom Kasch to adjourn the meeting. MOTION SECONDED by Stephen Colarusso. MOTION CARRIED.

In accordance with Title II of the Americans with Disabilities Act, the Cosmetology Board does not discriminate on the basis of disabilities in its programs, services or activities. Individuals who need reasonable accommodation to participate or who need information in an alternative format may contact the ADA Coordinator at (480) 784-4539.

- \* **LEGAL ADVICE WHERE APPLICABLE – A.R.S. § 38-431-03 (A) (3)**
- \*\* **PERSONNEL MATTERS – A.R.S. § 38-431.03 (A) (1)**
- \*\*\* **CONFIDENTIAL MATTERS – A.R.S. § 38-431.03 (A) (2)**
- \*\*\*\* **PENDING LITIGATION – A.R.S. § 38-431.03 (A) (4)**